

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

**IN THE MATTER OF
WAIVERS/DEFERRALS OF
SUPERIOR COURT FEES**

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**ADMINISTRATIVE ORDER
NO. 94-043
AMENDED**

The Superior Court faces a continual and consistent loss of revenues by way of Court fee waivers and/or deferrals. The Court Institution is committed to due process regardless of the petitioner's or respondent's ability to pay fees. However, the Court must also develop a better-structured process in determining who is qualified for such waivers and/or deferrals.

The Domestic Relations Department of the Court is in the process of developing guidelines to better control the waivers and/or deferrals granted by the Court in Domestic Relations matters and setting up training programs to instruct the Probate Registrars in the guidelines for such fee waivers and/or deferrals. The Court is also examining how to better detect cases involving fraud, as well as the responsibility of non-custodial parents for payment of fees in IV-D matters. These procedures can reasonably be applied to all requests for waiver or deferral of Court fees.

Accordingly, it is

ORDERED that, effective July 1, 1994, with the exception of those persons represented by Community Legal Services, or determined by Community Legal Services to

be eligible for free legal services due to income at or below 125% of the Federal Poverty Guidelines, any person who requests a waiver or deferral of a Court fee must appear in person before the Probate Registrar and must make a new request each time they file a new document that requires the payment of a fee.

ORDERED that, effective July 1, 1994, waiver/deferral determination must be done at the Court facility location where the case will be heard.

ORDERED that, effective July 1, 1994, persons who cannot appear in person must file, with the Probate Registrar, an Affidavit of Inability to Appear, explaining the inability to appear, which may include the name and phone number of the individuals' attending physician for later verification.

Done on July _____, 1994

C. Kimball Rose, Presiding Judge
Maricopa County

Original: Clerk of the Court

CC: Chief Justice Stanley G. Feldman
Superior Court Judges and Commissioners
Courts Management Team
Kim V. Kelly, Judicial Administrator
Gordon Mulleneaux, Clerk of the Court
Noreen Sharp, Project Director, Access to Court Services Programs